

Filed with the Secretary of State, Oct. 17, 1986.

S.C.R. No. 7**SENATE CONCURRENT RESOLUTION**

WHEREAS, Del E. Webb Corporation, an Arizona corporation, alleges that it entered into a contract with the State Purchasing and General Services Commission on or about December 23, 1982, to construct Project Number 82-002-303, known as Headquarters Complex, John H. Winters Human Services Center in Austin, Travis County, Texas; and

WHEREAS, Del E. Webb Corporation alleges that the State Purchasing and General Services Commission was responsible for repeated delays and disruptions in Del E. Webb Corporation's performance of such contract, causing additional costs to be incurred; and

WHEREAS, Del E. Webb Corporation alleges that the State Purchasing and General Services Commission breached and wrongfully terminated the contract and seeks to penalize Del E. Webb Corporation for damages allegedly incurred because of delays in performance by Del E. Webb Corporation of the contract; and

WHEREAS, Del E. Webb Corporation desires to institute suit against the State of Texas and the State Purchasing and General Services Commission to determine what damages or other relief, if any, it is entitled to recover; now, therefore, be it

RESOLVED by the Legislature of the State of Texas, That Del E. Webb Corporation be and is hereby granted permission to sue the State of Texas and the State Purchasing and General Services Commission in any court of competent jurisdiction in Travis County, Texas, for any relief to which it may be entitled as a result of this claim; and, be it further

RESOLVED, That this permission applies only to a suit filed before the second anniversary of the effective date of this resolution; and, be it further

RESOLVED, That in the event suit is filed, service of citation and other required process be made on the Attorney General of the State of Texas and on the Executive Director of the State Purchasing and General Services Commission and that the suit be tried as other civil suits; and, be it further

RESOLVED, That nothing in this resolution may be construed as an admission by the State of Texas or by any of its employees, agents, departments, agencies, or political subdivisions of liability or of the truth of any allegation asserted by the claimant, but the alleged cause of action must be proved under the law of this state as in other civil suits; and, be it further

RESOLVED, That nothing in this resolution may be construed as a waiver of any defense of law or fact available to the State of Texas or to any of its employees, agents, departments, agencies, or political subdivisions, but every defense is specifically reserved except the defense of immunity from suit without legislative permission; and, be it further

RESOLVED, That nothing in this resolution affects the state's ability to plead res judicata to any issue; and, be it further

RESOLVED, That nothing in this resolution may be construed as a waiver of the state's sovereign immunity under the Eleventh Amendment to the United States Constitution or as granting permission to sue the state in any federal court.

Adopted by the Senate on September 17, 1986; adopted by the House on September 24, 1986.

Filed without signature.

Filed with the Secretary of State, Sept. 30, 1986.

S.C.R. No. 9**SENATE CONCURRENT RESOLUTION**

WHEREAS, David Wayne Williams alleges that:

(1) on or about April 20, 1982, he was 15 years old and a resident in a facility operated by the Texas Department of Mental Health and Mental Retardation;

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(2) as a result of negligent and improper supervision, he was allowed to leave the facility;

(3) during his absence from the facility, the vehicle in which he was a passenger was pursued in a high-speed chase and the resulting crash left him a quadriplegic; and

(4) due to the negligent and improper action and inaction on the part of the Texas Department of Mental Health and Mental Retardation, he has suffered injuries of a continuing and seriously debilitating nature, as well as substantial physical and emotional damages; now, therefore, be it

RESOLVED by the Legislature of the State of Texas, That David Wayne Williams be and is hereby granted permission to sue the State of Texas and the Texas Department of Mental Health and Mental Retardation for any relief to which he may be entitled as a result of this claim; and, be it further

RESOLVED, That this permission applies only to a suit filed before the second anniversary of the effective date of this resolution; and, be it further

RESOLVED, That in the event suit is filed, service of citation and other required process be made on the Attorney General of the State of Texas and on the commissioner of the Texas Department of Mental Health and Mental Retardation, and that the suit be tried as other civil suits; and, be it further

RESOLVED, That nothing in this resolution may be construed as an admission by the State of Texas or by any of its employees, agents, departments, agencies, or political subdivisions of liability or of the truth of any allegation asserted by the claimant, but the alleged cause of action must be proved under the law of this state as in other civil suits; and, be it further

RESOLVED, That nothing in this resolution may be construed as a waiver of any defense of law or fact available to the State of Texas or to any of its employees, agents, departments, agencies, or political subdivisions, but every defense is specifically reserved except the defense of immunity from suit without legislative permission; and, be it further

RESOLVED, That nothing in this resolution affects the state's ability to plead res judicata to any issue; and, be it further

RESOLVED, That nothing in this resolution may be construed as a waiver of the state's sovereign immunity under the Eleventh Amendment to the United States Constitution or as granting permission to sue the state in any federal court.

Adopted by the Senate on September 24, 1986; adopted by the House on September 30, 1986.

Filed without signature.

Filed with the Secretary of State, Oct. 17, 1986.

S.C.R. No. 14

SENATE CONCURRENT RESOLUTION

WHEREAS, The State of Texas mourns the death of one of its most distinguished citizens, Angelita Contreras of Marfa, who died at the venerable age of 106 on September 9, 1986; and

WHEREAS, A woman of deep and abiding faith, she had credited her longevity to God's will; and

WHEREAS, Though poor in material possessions, her devotion to God and prayers enriched her life and served as a splendid example for her family and friends; and

WHEREAS, Her serenity and inner peace will remain cherished memories in the hearts and minds of all who knew her; and

WHEREAS, A life-long resident of Presidio County, she was born in Redford on August 2, 1880, and moved to Shafter as a young woman; and

WHEREAS, Her marriage to Ventura Contreras was blessed with 11 children, and the family grew to include six generations; and